

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SP PLUS LLC,

Plaintiff,

v.

DAVIS DINIZ,

Defendant.

Case No. 25-cv-02563

**PLAINTIFF’S MOTION FOR EXPEDITED DISCOVERY,
A PRESERVATION ORDER, AND A PROTECTIVE ORDER**

Plaintiff SP Plus LLC (“SP Plus”) moves this Court for an Order granting it leave to take expedited discovery, a Preservation Order and a Protective Order.

Specifically, in connection with its soon-to-be-filed Motion for a Preliminary Injunction, SP Plus requests the Court enter an Order permitting SP Plus to take expedited, limited written discovery of Diniz. SP Plus also seeks a Preservation Order requiring Diniz not to destroy any of the evidence pertaining to this matter in order to ensure that all relevant evidence is preserved.

Furthermore, SP Plus also moves for a Protective Order pursuant to Fed. R. Civ. P. 26(c)(1)(G) to protect confidential business and trade secret information. For present discovery purposes, SP Plus proposes entry of the Protective Order attached as Exhibit A, modeled after the Northern District of Illinois Model Protective Order (but precluding non-attorney access to Confidential Information). SP Plus also seeks an Order requiring, as requested by Plaintiff’s First Set of Requests For Production of Documents to Defendant Davis Diniz [Expedited] (“Plaintiff’s Expedited Document Requests”), that Diniz submit to a forensic examination (by a mutually-agreeable forensic neutral pursuant to a mutually-agreeable forensic protocol) all computer

devices and online accounts in his possession, custody, or control, that are being used, or have been used, in connection with his work for, or on behalf of SP Plus, Five Diamond Parking LLC, and/or USA Transportation. The bases for granting this Motion are fully set forth in SP Plus's Verified Complaint and the accompanying Memorandum.

This case warrants expedited discovery and proceedings to permit SP Plus to develop and present to the Court the evidence required to obtain timely preliminary injunctive relief enjoining Diniz's misconduct. SP Plus should have the opportunity to determine in advance of any evidentiary hearing the full scope of Diniz's misappropriation of SP Plus's confidential information and trade secrets and breaches of contract. Expedited discovery will resolve these issues and is reasonable in this case as it will prevent further irreparable harm that will likely occur if discovery is delayed. It is also the only way that SP Plus can develop a sufficient factual record before a hearing on its forthcoming request for a preliminary injunction. Attached to this Motion as Exhibits B and C are the proposed Interrogatories and Requests for Production, respectively.

For these reasons and those set forth in the accompanying Memorandum, SP Plus respectfully requests that this Court permit expedited discovery and order Diniz to respond to the discovery attached as Exhibits B and C within fourteen (14) days of the service of said discovery, and to submit for forensic examination as requested by Plaintiff's Expedited Document Requests. A proposed Order is attached hereto as Exhibit D.

Respectfully submitted,

SP PLUS LLC,

By its attorneys,

/s/ Timothy D. Elliott

Timothy D. Elliott

telliott@rathjelaw.com

RATHJE WOODWARD LLC

300 E. Roosevelt Road, Suite 220

Wheaton, Illinois 60187

Phone: (630) 510-4910

Fax: (630) 668-9218

Russell Beck, MA BBO No. 561031

rbeck@beckreed.com

Stephen D. Riden, MA BBO No. 644451

sriden@beckreed.com

BECK REED RIDEN LLP

155 Federal Street, Suite 1302

Boston, Massachusetts 02110

Phone: (617) 500-8660

Fax: (617) 500-8665

Pro Hac Vice Application Forthcoming

Dated: March 19, 2025